



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2615

Introduced 1/21/2010, by Sen. Gary Forby

SYNOPSIS AS INTRODUCED:

110 ILCS 805/3-33.2

from Ch. 122, par. 103-33.2

Amends the Public Community College Act. Provides that for a period of 3 years after the effective date of the amendatory Act, in order to create, maintain or increase a working cash fund, the board may incur an indebtedness for such purpose and issue bonds therefor from time to time, in an amount or amounts not exceeding in the aggregate at any one time outstanding 150% (rather than 75%) of the taxes permitted to be levied for educational purposes and for operations and maintenance of facilities purposes for the then current year to be determined by multiplying the aggregate of the authorized maximum educational tax rate and the maximum operations and maintenance tax rate applicable to such district by the last assessed valuation as determined at the time of the issue of those bonds plus 150% (rather than 75%) of the last known entitlement of such district to taxes as by law now or hereafter enacted or amended, imposed by the General Assembly of the State of Illinois to replace revenue lost by units of local government and school districts as a result of the abolition of ad valorem personal property taxes, pursuant to Article IX, Section 5(c) of the Constitution of the State of Illinois. Effective immediately.

LRB096 16593 MJR 31867 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Public Community College Act is amended by
5 changing Section 3-33.2 as follows:

6 (110 ILCS 805/3-33.2) (from Ch. 122, par. 103-33.2)

7 Sec. 3-33.2. Bonds for working cash fund.

8 (a) Except as provided in subsection (b) of this Section,

9 in ~~in~~ order to create, maintain or increase such a working cash
10 fund for the purposes mentioned in Section 3-33.1, the board
11 may incur an indebtedness for such purpose and issue bonds
12 therefor from time to time, in an amount or amounts not
13 exceeding in the aggregate at any one time outstanding 75% of
14 the taxes permitted to be levied for educational purposes and
15 for operations and maintenance of facilities purposes for the
16 then current year to be determined by multiplying the aggregate
17 of the authorized maximum educational tax rate and the maximum
18 operations and maintenance tax rate applicable to such district
19 by the last assessed valuation as determined at the time of the
20 issue of those bonds plus 75% of the last known entitlement of
21 such district to taxes as by law now or hereafter enacted or
22 amended, imposed by the General Assembly of the State of
23 Illinois to replace revenue lost by units of local government

1 and school districts as a result of the abolition of ad valorem
2 personal property taxes, pursuant to Article IX, Section 5(c)
3 of the Constitution of the State of Illinois.

4 (b) For a period of 3 years after the effective date of
5 this amendatory Act of the 96th General Assembly, in order to
6 create, maintain, or increase such a working cash fund for the
7 purposes mentioned in Section 3-33.1, the board may incur an
8 indebtedness for such purpose and issue bonds therefor from
9 time to time, in an amount or amounts not exceeding in the
10 aggregate at any one time outstanding 150% of the taxes
11 permitted to be levied for educational purposes and for
12 operations and maintenance of facilities purposes for the then
13 current year to be determined by multiplying the aggregate of
14 the authorized maximum educational tax rate and the maximum
15 operations and maintenance tax rate applicable to such district
16 by the last assessed valuation as determined at the time of the
17 issue of those bonds plus 150% of the last known entitlement of
18 such district to taxes as by law now or hereafter enacted or
19 amended, imposed by the General Assembly of the State of
20 Illinois to replace revenue lost by units of local government
21 and school districts as a result of the abolition of ad valorem
22 personal property taxes, pursuant to Article IX, Section 5(c)
23 of the Constitution of the State of Illinois.

24 (c) The bonds may be issued without submitting the question
25 of issuance thereof to the voters of the community college
26 district for approval. Any bonds issued under this Section

1 shall bear interest at a rate of not more the maximum rate
2 authorized by the Bond Authorization Act, as amended at the
3 time of the making of the contract, and shall mature within 20
4 years from the date of issue. Subject to the foregoing
5 limitations as to amount, the bonds may be issued in an amount
6 including existing indebtedness which will exceed any
7 statutory debt limitation.

8 (d) With respect to instruments for the payment of money
9 issued under this Section either before, on, or after the
10 effective date of this amendatory Act of 1989, it is and always
11 has been the intention of the General Assembly (i) that the
12 Omnibus Bond Acts are and always have been supplementary grants
13 of power to issue instruments in accordance with the Omnibus
14 Bond Acts, regardless of any provision of this Act that may
15 appear to be or to have been more restrictive than those Acts,
16 (ii) that the provisions of this Section are not a limitation
17 on the supplementary authority granted by the Omnibus Bond
18 Acts, and (iii) that instruments issued under this Section
19 within the supplementary authority granted by the Omnibus Bond
20 Acts are not invalid because of any provision of this Act that
21 may appear to be or to have been more restrictive than those
22 Acts.

23 (Source: P.A. 89-281, eff. 8-10-95.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.